

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Roger Allen Dyke,)	
)	
Plaintiff,)	
)	Civil Action No. 6:18-cv-00402-TMC
v.)	
)	ORDER
Michael Staphen, Lisa Young,)	
Anite Stevens, and)	
Laura Kawaguchi,)	
)	
Defendants.)	

Plaintiff, a state prisoner proceeding pro se, brought this action seeking relieve pursuant to Title 42, United States Code Section 1983. In accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02, D.S.C., this matter was referred to a magistrate judge for pretrial handling. On April 9, 2018,¹ Plaintiff filed a Motion for a Protective Order/Temporary Restraining Order/Preliminary Injunction, seeking for Defendant Young to be removed from the Restrictive Housing Unit pending resolution of this case. (ECF No. 17). Before the court is the magistrate judge's Report and Recommendation ("Report"), which recommends that Plaintiff's Motion for a Protective Order/Temporary Restraining Order be denied. (ECF No. 22). Plaintiff was advised of his right to file objections to the Report. (ECF No. 22 at 4). However, Plaintiff filed no objections to the Report, and the time to do so has now run.

The Report has no presumptive weight and the responsibility to make a final determination in this matter remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). In the absence of objections, this court is not required to provide an explanation for adopting the

¹ Though the motion is docketed as being filed on April 11, 2018, the mailroom stamped the envelope as having been delivered on April 9, 2018. Therefore, Plaintiff's motion is deemed filed on April 9, 2018. *See Houston v. Lack*, 487 U.S. 266, 276 (1988) (stating that a prisoner's court documents are filed "at the time [he] deliver[s] it to the prison authorities for forwarding to the court clerk").

Report. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, “in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

After a careful and thorough review of the record under the appropriate standards, as set forth above, the court adopts the Report (ECF No. 22), which is incorporated herein by reference. Accordingly, Plaintiff’s Motion for Protective Order/Temporary Restraining Order (ECF No. 17) is denied.

IT IS SO ORDERED.

/s/Timothy M. Cain
United States District Judge

Anderson, South Carolina
May 9, 2018

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.